

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AIRGAS, INC.

Plaintiff,

vs.

CRAVATH, SWAINE & MOORE, LLP

Defendant.

CIVIL ACTION NO: 10-612 (ECR)

STIPULATED SCHEDULING ORDER

AND NOW, this _____ day of _____, 2010, parties, by their respective counsel, hereby stipulate and agree to submit the following pretrial schedule for consideration by the Court:

1. Pretrial Timetable:

- All fact discovery shall be completed by August 30, 2011.
- Each party's initial expert reports (if any) are due September 30, 2011.
- Each party's responsive expert reports (if any) are due October 21, 2011.
- Depositions of all experts are to be completed by December 21, 2011.
- Dispositive motions are due January 21, 2012.
- Plaintiff's pre-trial memorandum is due February 20, 2012.
- Defendant's pre-trial memorandum is due March 10, 2012.
- Exchange of exhibits is due March 17, 2012.
- All motions in limine are due March 31, 2012.
- After all dispositive motions have been decided or the time for filing dispositive motions has elapsed, the parties will be given notice of a Final Pre-Trial Conference.

2. The case will be placed into the trial pool April 7, 2012, or as soon thereafter as all dispositive motions have been decided.

SO ORDERED:

EDUARDO C. ROBRENO, J.

Joint Status Report Pursuant to Rule 26(f)

Caption: *Airgas, Inc. v. Cravath, Swaine & Moore LLP* Civil Action No: 10-612 (ECR)

Basis of Jurisdiction: Diversity of citizenship

Jury Trial: Yes Non-Jury Trial: Arbitration:

Plaintiff's counsel participating in Rule 16 Conference: Jeffrey G. Weil & Thomas G. Wilkinson

Defendant's counsel participating in Rule 16 Conference: John A. Guernsey & Robert N. Feltoon

Do counsel have full authority to settle at Rule 16 Conference? Yes

If not, client with such authority who will attend conference: _____

When did the parties hold the Rule 26 Conference? November 8, 2010

When did the parties comply with Rule 26(a)'s duty of self-executing disclosure? Plaintiff – May 21, 2010; Defendant – November 22, 2010

Does either side expect to file a case-dispositive motion? Yes (yes/no)

If yes, under what Rule 56

If yes, specify the issue Awaiting discovery - Not yet determined

Proposed deadline for filing dispositive motions: See attached joint proposed schedule

Does either side anticipate the use of experts? Yes

If yes, what is the proposed deadline for expert discovery? See attached proposed schedule

Approximate date case should be trial-ready: See attached proposed schedule

Time for Plaintiff's case: One week Time for Defendant's case: One week

Is a settlement conference likely to be helpful? Not at this time If so, when:

Early: No (yes/no) After Discovery: Possibly (yes/no)

What is the outcome of your discussions with your clients about proceeding before a Magistrate Judge for final disposition? Parties do not agree to proceed before a Magistrate Judge.

Plan for Discovery:

1. The parties anticipate that discovery should be completed within (See attached)_____ days.
2. What is the minimum amount of time necessary to complete discovery prior to an ADR session, should one be ordered or agreed to? See attached schedule _____
3. Have the parties discussed issues relating to claims of privilege or of protection as trial-preparation material, as required by Rule 26(f)(3)(D)? Yes _____

4. Identify any other discovery issues which should be addressed at the Rule 16 Conference, including limitations on discovery, protective orders needed, or other elements which should be included in a particularized discovery plan. Potential privilege issues and stipulated confidentiality order.

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5. If you contend the discovery period should exceed 90 days, please state reason:
Anticipated privilege issues and some witnesses are out of state _____